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*Attorneys for Defendants Bank of America, N.A., BAC Home Loans Servicing, LP, sued incorrectly as BAC Home Loan Servicing, LP, ReconTrust Company, N.A., MERSCORP, Inc., and Mortgage Electronic Registration Systems, Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

CHRIS DAVENPORT, an individual,  
Plaintiff  
vs.

Case No.: 2:11-cv-00686-KJD-CWH

## **ORDER CANCELING LIS PENDENS**

BANK OF AMERICA, N.A.; BAC HOME LOAN SERVICING, LP; RECONTRUST COMPANY, N.A.; MERSCORP, INC., a Virginia Corporation, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., a subsidiary of MERSCORP, Inc., a Delaware corporation; AND DOES I individuals 1 to 100, Inclusive; and ROES Corporations 1 to 30, Inclusive; and all other persons and entities unknown claiming any right, title, estate, lien or interest in the real property described in the Complaint adverse to Plaintiff's ownership, or any cloud upon Plaintiff's title thereto,

## Defendants.

This Court entered an order [Dkt. 27] granting Defendants Bank of America, N.A., BAC Home Loans Servicing, LP, sued incorrectly as BAC Home Loan Servicing, LP, ReconTrust Company, N.A., MERSCORP, Inc., and Mortgage Electronic Registration Systems, Inc.'s (**Defendants**) motion to dismiss for failure to state a claim and expunge lis pendens [Dkt. 6] on

1      October 13, 2011. Judgment in favor of Defendants was also entered on October 13, 2011 [Dkt. 28].

2      Defendants request that the lis pendens plaintiff Chris Davenport recorded against the subject  
3      property be canceled.

4      The Court finds that plaintiff recorded a notice of lis pendens affecting real property on  
5      March 29, 2011, as Instrument Number 201103290002975, in the real property records maintained  
6      by the Clark County Recorder. A copy of the lis pendens is attached hereto as **Exhibit A** and fully  
7      incorporated by reference.

8      Upon consideration of Defendants' request to cancel the above-referenced lis pendens, and  
9      good cause appearing therefore, the court hereby grants Defendants their requested relief and rules  
10     as follows:

11     1. It is ordered, adjudged and decreed that the above-referenced lis pendens is hereby  
12     canceled, released and expunged.

13     2. It is further ordered, adjudged and decreed that this order canceling the above-  
14     referenced lis pendens has the same effect as an expungement of the original lis pendens.

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3. It is further ordered, adjudged and decreed that Defendants record a properly certified copy of this cancellation order in the real property records of Clark County, Nevada within a reasonable amount of time from the date of this order's issue.

APPROVED:

**UNITED STATES DISTRICT JUDGE**

Dated: July 14 2017

Submitted by:

**AKERMAN SENTERFITT LLP**

/s/ Christina S. Bhirud

ARIEL E. STERN, ESQ.

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CHRISTINA S. BHIRUD, ESO.

Nevada Bar No. 11462

400 South Fourth Street, Suite 450

Las Vegas, Nevada 89101

*Attorneys for Defendants Bank of America, N.A., BAC Home Loans Servicing, LP, sued incorrectly as BAC Home Loan Servicing, LP, ReconTrust Company, N.A., MERSCORP, Inc., and Mortgage Electronic Registration Systems, Inc.*

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400 SOUTH FOURTH STREET, SUITE 450  
LAS VEGAS, NEVADA 89101  
TEL.: (702) 634-5000 - FAX. (702) 380-8572

## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on the 7<sup>th</sup> day of November, 2011, and pursuant to FRCP 5, I served via CM/ECF and/or deposited for mailing in the U.S. Mail a true and correct copy of the foregoing [Proposed] ORDER CANCELING LIS PENDENS, postage prepaid and addressed to:

Chris Davenport  
5016 North Cimarron Road  
Las Vegas, Nevada 89149

*Plaintiff in pro per*

/s/ Debbie Julien  
An employee of AKERMAN SENTERFITT LLP

AKERMAN SENTERFITT LLP

400 SOUTH FOURTH STREET, SUITE 450  
LAS VEGAS, NEVADA 89101  
TEL.: (702) 634-5000 - FAX: (702) 380-8572

**EXHIBIT A**

**EXHIBIT A**

Inst #: 201103290002975

Fees: \$16.00

N/C Fee: \$0.00

03/29/2011 02:30:12 PM

Receipt #: 720980

Requestor:

JUNES LEGAL SERVICES

Recorded By: SOL Pgs: 3

DEBBIE CONWAY

CLARK COUNTY RECORDER

(3)

## RECORDING COVER PAGE

Must be typed or printed clearly in black ink only.

APN# 125-33-306-006

11 digit Assessor's Parcel Number may be obtained at:  
<http://redrock.co.clark.nv.us/assrrealprop/ownr.aspx>

### TITLE OF DOCUMENT (DO NOT Abbreviate)

NOTICE OF LIS PENDENS AFFECTING REAL PROPERTY

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Title of the Document on cover page must be EXACTLY as it appears on the first page of the document to be recorded.

Recording requested by:

CHRIS DAVENPORT

---

Return to:

Name CHRIS DAVENPORT

---

Address 5016 N. CIMARRON ROAD

---

City/State/Zip NORTH LAS VEGAS, NV 89084

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This page provides additional information required by NRS 111.312 Sections 1-2.

An additional recording fee of \$1.00 will apply.

To print this document properly—do not use page scaling.

P:\Recorder\Forms 12\_2010

Electronically Filed  
03/29/2011 11:41:37 AM

*Anna S. Johnson*  
CLERK OF THE COURT

1 RECORDING REQUESTED BY: Plaintiff: Chris Davenport  
2 AND WHEN RECORDED MAIL TO:

3 **LISP**

4 Chris Davenport  
5016 N. Cimarron Rd.  
6 Las Vegas, NV 89129  
7 702-218-1486

5 cdltd@lvcm.com  
6 PLAINTIFF: *IN PRO PER*

7 **SPACE ABOVE THIS LINE FOR RECORDER'S USE**

8  
9 **DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11 **CHRIS DAVENPORT** an individual,

12 Plaintiff(s)

13 vs.

14 **BANK OF AMERICA, N.A.; BAC HOME**  
15 **LOAN SERVICING, LP; RECONTRUST**  
16 **COMPANY, N.A.; MERSCORP, INC., a**  
17 **Virginia Corporation, MORTGAGE**  
18 **ELECTRONIC REGISTRATION SYSTEMS,**  
19 **INC. a subsidiary of MERSCORP, Inc., a**  
20 **Delaware corporation; AND DOES I**  
21 **individuals 1 to 100, Inclusive; and ROES**  
22 **Corporations 1 to 30, Inclusive; and all other**  
23 **persons and entities unknown claiming any**  
24 **right, title, estate, lien or interest in the real**  
25 **property described in the Complaint adverse to**  
26 **Plaintiff's ownership, or any cloud upon**  
27 **Plaintiff's title thereto,**

28 Defendants.

CASE NO.: A-11-637954-C

DEPARTMENT: XJ

**NOTICE OF LIS PENDENS**

**AFFECTING REAL PROPERTY**

NOTICE: THIS LIS PENDENS IS EFFECTIVE UPON  
SERVICE OF THE PARTY REQUESTING SAME  
WHEN ISSUED AND AGAINST THE OTHER PARTY  
WHEN SERVED, AND SHALL REMAIN IN EFFECT  
FROM THE TIME OF ITS ISSUANCE UNTIL TRIAL  
OR UNTIL DISSOLVED OR MODIFIED BY THE  
COURT. DISOBEDIENCE OF THIS LIS PENDENS IS  
PUNISHABLE BY CONTEMPT.

NOTICE OF PENDANCY OF ACTION

1           **TO: ALL INTERESTED PARTIES**

2 NOTICE IS HEREBY GIVEN pursuant to NRS Chapter 14, NRS 125.220, and NRS Chapter  
3 608, that there is currently pending in the Judicial District Court.

4 The action which affects the Title to a specific parcel of real property and the right to lawful  
5 possession of the same, the property location is:

6           5016 N. Cimarron Rd., Las Vegas, NV 89129

7 And of which the legal description is as follows: APN#125-33-306-006

8 *Parcel Map file 22, Page 4, Lot 03, Block XX and by Certificate  
9 of record on 2/11/2005 in Book 20050211 as Inst. No. 03047 all  
10 in the office of the County Recorder for Clark County, NEVADA.*

11 and which is identified in the complaint of this action.

12 The property affected by the action is located in the County of Clark, Nevada. The natures  
13 of the claims are:

- 14 1. Quiet Title
- 15 2. Deceptive Trade Practices
- 16 3. Wrongful Foreclosure- Set Aside Trustee Sale
- 17 4. Statutorily Defective Foreclosure- NRS 107.080
- 18 5. Conspiracy To Commit Wrongful Conversion
- 19 6. Conspiracy To Commit Conversion Related to MERS System
- 20 7. Broken Chain of Custody (promissory Note)
- 21 8. Inspection and Accounting
- 22 9. Unjust Enrichment
- 23 10. Injunctive Relief
- 24 11. Declaratory Relief
- 25 12. (Rescission) Cancel Deed of Trust

26 NOTICE IS FURTHER GIVEN that YOU ARE HEREBY PROHIBITED AND  
27 RESTRAINED FROM; transferring, encumbering, selling or otherwise disposing of any  
28 portion of said real property without the written permission of the court.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Plaintiff Signature(s):

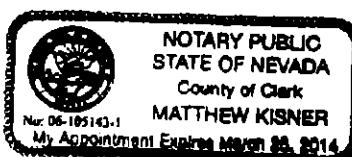
21 Chris Davenport  
22 5016 N. Cimarron Rd.  
23 Las Vegas, NV 89129  
702-218-1486  
cdltd@lvcm.com

PLAINTIFF: IN PRO SE

ACKNOWLEDGEMENT

Subscribed and sworn to before me this 29<sup>th</sup> day of March 2011.

Signed:



Seal:

NOTARY PUBLIC in and for the County of Clark, State of Nevada.

NOTICE OF PENDANCY OF ACTION